

## Immigration Consultants

### **Who are immigration consultants?**

Immigration consultants specialize in assisting consumers with immigration law matters. They are not attorneys and are usually not supervised by attorneys.

### **Are immigration consultants "Accredited Representatives"?**

No. Accredited Representatives are qualified by, and work for, agencies that are approved by the U.S. Board of Immigration Appeals (BIA). These representatives are allowed to speak for you at interviews with immigration officers and in immigration hearings. They cannot represent you in criminal or civil court cases.

### **Typical problems with immigration consultants**

Immigration law is complicated. Dishonest immigration consultants know this. They also know that the laws confuse many immigrants.

Unscrupulous immigration consultants take advantage of vulnerable immigrants in many ways, including:

- Charging exorbitant fees for immigration services and then failing to file any documents.
- Promising to get green cards, work visas or other benefits for ineligible immigrants.
- Filing false asylum claims.
- Charging fees to prepare applications for nonexistent immigration programs.
- Falsely claiming to have connections with the U.S. Citizenship and Immigration Service.

### **What can immigration consultants legally do?**

In most states, immigration consultants can:

- Give you materials, law books and forms so that you can prepare legal documents yourself.
- Give you a list of forms and legal documents.
- Type or fill out forms for you if you tell the consultant what to write.
- File forms in court for you if you tell the consultant what to file.
- Serve legal papers on other parties.

### **What immigration consultants usually cannot do:**

- Tell you what forms you need for your case.
- Fill out forms for you if you do not tell the consultant what to write.
- Tell you what kind of immigration category (such as asylum or labor certification) you should apply for.

### **When should I consult an attorney?**

If a form or legal document is too complicated for you to understand or to fill out yourself, you should not count on the consultant to figure it out for you.

Instead, you should try to find an attorney to help you. Do not assume you cannot afford an attorney. Many legitimate attorneys charge less than immigration consultants. You may not have to pay at all if you qualify for free legal services. To find out more, contact your local legal aid office or lawyer referral services at (608) 257-4666 or 1-800-362-9082, toll-free.

You should also be careful to look for an attorney who specialized in immigration law. Shop around and ask a lot of questions. If

possible, get recommendations from friends or relatives you trust.

**Remember: An immigration consultant is not a lawyer and may not know all of the relevant law in your case.**

### **10 steps you can take to protect yourself from dishonest immigration consultants**

If you end up dealing with a dishonest consultant, you are likely to lose money and possibly face removal or deportation from the United States.

When shopping around for help with immigration matters, be sure to:

1. Ask about the consultant's educational background and work experience.
2. Discuss price. If the consultant is not significantly less expensive than a lawyer, find another consultant or look for an attorney to help you.
3. It is always a good idea to get a contract. Read it carefully before signing. In the state of Wisconsin, an Attorney is required to obtain a retainer agreement (contract) that specifies the work to be done and the cost for those services including filing fees, etc. Notaries and other Immigration Consultants are not required to do so. Make sure you get a copy of any other documents the consultant prepares for you. In Wisconsin, an Attorney is not required to give their client any forms or documents in their native language. Some attorneys do provide a translated retainer agreement

to their clients but others do not.

4. Be suspicious if the consultant's promises sound too good to be true.
5. Whenever you make a payment, get a signed receipt.
6. If the consultant has typed a legal form or document for you, read it carefully before signing it. If you cannot read English, bring someone who can translate the documents for you.
7. Do not let the consultant keep your original documents or photos.
8. Do not sign blank application forms.
9. Avoid consultants that pressure you to pay immediately.
10. Ask questions. You should not hire a consultant who refuses to answer your questions.

### **Where Can I Go For Help?**

Consult your local legal services office, volunteer lawyers project (often coordinated through the local bar association), or the Bureau of Consumer Protection at 1-800-422-7128. If you are having problems with a lawyer, call the State Bar where the lawyer is licensed. The State Bar of Wisconsin provides a lawyer referral and information service to consumers at a low cost and can be reached by calling 1-800-362-9082. You may also be able to find help from the local District Attorney or police department.

Information from the National Consumer Law Center and brought to you by the:

**Bureau of Consumer Protection  
2811 Agriculture Drive  
PO Box 8911  
Madison WI 53708-8911**

**E-MAIL:  
DATCPHotline@wi.gov**

**WEBSITE:  
datcp.wi.gov**

**(800) 422-7128**

**FAX: (608) 224-4677**

**TTY: (608) 224-5058**